

COMMONWEALTH OF MASSACHUSETTS
TOWN OF HUBBARDSTON



MINUTES - ANNUAL TOWN MEETING Tuesday, June 3, 2014 CENTER SCHOOL

STABILIZATION: \$238,393

MUNICIPAL CAPITAL STABILIZATION: \$423,010

FREE CASH: \$252,788

AMBULANCE RETAINED EARNING: 171,823

Pursuant to the foregoing warrant, the voters of the Town of Hubbardston assembled at the Center School gymnasium to act on the articles in said warrant. Present were Moderator Edward Leonard; Board of Selectmen members Matt Castriotta(Chair), Michael Stauder, Daniel Galante and Jeffrey Williams; Town Clerk Joyce Green; Finance Committee members Raeanne Siegel(Chair), Faye Zukowski, Benjamin Prentiss, Philip Churchill and Patrick Girouard; Town Administrator Anita Scheipers; and representative for Town Counsel, Joel Bard.

A total of 113 registered voters were checked in by Marcia Howlett and Shonna Larson. Lynn Wilkinson assisted with the check-in process. A quorum of 50 voters was present throughout the meeting.

Moderator Leonard called the meeting to order at 7:30pm. The following actions were taken on the articles presented in the aforesaid warrant:

ARTICLE 1. Officers will be chosen at the Annual Town Election June 10, 2014.

ARTICLE 2. Reports of the Town Officers and Committees will be printed in the Annual Town Report.

ARTICLE 3. Motion, Matt Castriotta, that the Town vote **to authorize the Board of Selectmen to enter into agreements with the Commonwealth of Massachusetts Department of Transportation** for the construction and maintenance of public highways for the twelve month period beginning July 1, 2014.

Second: Daniel Galante

Vote: Motion Carries, Majority Affirmative Vote

ARTICLE 4. Motion, Matt Castriotta, that the Town vote **to accept educational grants and aid for Fiscal Year 2015,** to be expended for authorized purposes by the Montachusett Regional Vocational Technical School and the Quabbin Regional School District.

Second: Daniel Galante

Vote: Motion Carries, Majority Affirmative Vote

ARTICLE 5. Motion, Matt Castriotta, that the Town vote **to authorize the continuation of the following Holden Hospital Account #220-512-5580-0000 for Fiscal Year 2015.**

The Holden Hospital Account is funded by monies received from the establishment of a \$2,500,000 trust fund under a settlement between the Medical Center of Central Massachusetts (MCCM) and the eleven communities formerly served by Holden Hospital. Any purchases to be presented for payment from this account shall be authorized by appropriate board, and only be used for the following:

a. Vehicle Replacement Assistance - This fund would be used to assist in funding the replacement of a RESCUE VEHICLE for the Town of Hubbardston. Fund would accumulate, and would supplement any town funds utilized for the purchase. Any purchases to be presented for payment from this Account shall be preauthorized by the Board of Selectmen with voucher authorized by the Town Administrator.

b. Education and Training - This fund would be used to reimburse Hubbardston residents for successfully completing EMT training only after one full year of active service with the Hubbardston EMS Division of the Fire Department. Fund would also be used to reimburse EMTs for successfully completing advanced training

in the same manner. Any purchases to be presented for payment from this Account shall be preauthorized by the Board of Selectmen with voucher authorized by the Town Administrator.

c. Health Related - This fund would be utilized for other Health related programs within the Town of Hubbardston, under the direction of the Board of Health, or other health related agencies. Funds to be withdrawn by voucher submitted by the Board of Health or other Town Health related agencies.

d. Excess Investment Surplus - Any return on investment above 8% will be placed in this account which will accumulate and can be used for any special project or acquisition associated with any of the above three categories of distribution, or any other health related projects deemed compatible with the fund's design, with the approval of the Board of Selectmen. Funds may be withdrawn by voucher submitted by the Town Administrator.

Second: Daniel Galante

Vote: Motion Carries, Majority Affirmative Vote

ARTICLE 6. Motion, Matt Castriotta, that the Town vote to authorize the following Revolving Accounts for Fiscal 2015 under MGL Ch. 44 §53E ½, as shown on the following chart, with amendments to particular funds noted in *bold italicized* or ~~strikethrough~~ text.

Fund	Authorization By	Revenue Source	Use of Fund	FY2015 Spending Limit
Wiring Fund	Wiring Inspector	Electrical Permit Fees and Applications	Pay inspector for inspection services and clerical wages	\$ 20,000 <i>\$50,000</i>
Gas Fund	Gas Inspector	Gas Permit Fees and Applications	Pay inspector for inspection services	\$ 3,000
Plumbing Fund	Plumbing Inspector	Plumbing Permit Fees and Applications	Pay inspector for inspection services	\$ 6,000
Recycling Fund	Board of Health	Fees collected for use of center and drop-off of recyclables	Costs associated with programs and facilities needed to recycle materials, including employee wages	\$ 5,000
Grave Fund	Cemetery Commissioners	Payments for grave openings	Payment to party hired to open grave	\$ 5,000
Haz Mat Fund	Fire Chief	Service charges for clean-up and disposal of hazardous materials	Expenditures related to clean-up and disposal of hazardous materials	\$ 3,000
Septic Fund	Board of Health	Fees for septic system plan review, agent inspections, and perc tests	Payments to septic system plan review engineers and to agents witnessing perc tests or performing inspections	\$ 20,000
Vaccine Administration Account	Board of Health	Fees, health insurance reimbursements and receipts for vaccine related services	Payments for vaccine, supplies, and services deemed necessary by the Board of Health	\$ 5,000
Con Com Fund	Conservation Commission	Receipts from fees for site inspections and plan review	Payment to member performing site inspection and expenses relating to such inspections or plan review	\$ 3,000

Open Burn Fund	Fire Chief	Receipts for fees for open burning	Payment of expenses related to fighting brush fires in town, including payment of part-time wages, forest firefighting equipment and other costs of fighting such fires	\$11,000
Late fee Dog License Fund	Town Clerk	Fees for late licensing of dogs and kennels	Payment of costs associated with the regulation of dogs including ACO capital expense.	\$10,000
MART Transportation Management Fund	COA Director	MART Reimbursement	Payment of costs associated with the supervision <i>and operation</i> of the MART Transportation	\$10,000 \$35,000
Hubbardston 250 th Anniversary Fund	250 th Anniversary Committee	Donations, sale of promotional items and other sources	Payment of the costs associated with the 250 th Anniversary Celebration of Hubbardston's Founding	\$50,000
Hazardous Building Demolition Fund	Board of Health and the Building Department	Reimbursement from property owners for demolition of hazardous buildings	Payment of expenses associated with the demolition of hazardous buildings and related clean-up of underlying property	\$20,000
Planning Board Fund	Planning Board	Site Plan Review, Special Permit & Subdivision and Application fees.	Expenses related to Site Plan Review, Special permit, Subdivision Applications and Zoning Bylaw & Subdivision Regulations revisions	\$10,000
			Total of all Revolving Funds:	\$236,000
LIMIT OF FY15 REVOLVING FUND TOTAL = 10% of FY14 Tax Levy \$5,867,617 which = \$586,761			LIMIT FOR EACH REVOLVING FUND ** Single department authorization may not exceed 1% of Tax Levy which = \$58,676	

Second: Jeffrey Williams

Vote: Motion Carries, Majority Affirmative Vote

Prior to the review and vote on the Annual Budget in Article 7, Selectman Michael Stauder welcomed residents to the 247th Annual Town Meeting and recognized Selectman Matt Castriotta who was attending his final Town Meeting after serving 15 years on the Board. Mr. Castriotta thanked those present for their support and was given a round of applause.

Dr. Stauder commended Town Administrator Anita Scheipers who has been in the position for a year saying she has done an “absolutely intergalactic stellar job,” has been very professional, improved communication and has made a positive impact as a full-time presence for the town.

Sergeant Ronald Newton was recognized as he retired recently after 14 years on the Police Department and had been very involved in the community. Sergeant Newton thanked the community for the opportunity to get to know them and to serve as a member of the police force. He was given a standing ovation.

Dr. Stauder thanked DPW Director Timothy Kilhart for his first 6 months on the job and gave an overview of the road projects that have been completed and those that are scheduled to begin this year.

Dr. Stauder announced the dedication of the 2013 Annual Town Report to the Hubbardston Center School Playground Committee whose fund raising and hard work enabled the construction of the fantastic playground now in front of the school. Co-Chairs Jesse Twarog and Meredith Stevenson, Vicki Tobin, Pam Stauder, Beth Rigerio, Jennifer Labrousse, Melissa Haddad, Laura Foley and Lisa Durant along with Jeremy Tobin and Hub Equipment were all recognized.

ARTICLE 7. Motion, Matt Castriotta, that the Town vote to raise and appropriate from taxation the funds to meet the salaries and compensation of Town Employees and Town Officers as provided by MGL Ch. 41 §108, expense, and outlays of the Town Departments, and other sundry and miscellaneous, but regular, expenditures necessary for the operation of the Town for Fiscal Year 2015 (July 1, 2014 through June 30, 2015), and further, to accept and expend Federal and State Funds to offset certain salaries or expenses and outlay in the following amounts:

General Government \$611,656
Public Safety \$1,015,927
Education \$4,538,046
Public Works \$760,307
Human Services, Culture and Recreation \$102,885
Unclassified \$450,758
TOTAL GENERAL FUND OPERATING BUDGET EXPENSES \$7,479,578

Moderator Edward Leonard stated that we would be voting the summary total of each of the larger segments as shown on the printed warrant.

Note: The detailed FY15 Operating Budget included with this warrant is only a guide and non-binding as to the raise and appropriate vote of the category totals shown above.

Second: Daniel Galante

Vote: Motion Carries, Majority Affirmative Vote

ARTICLE 8. Motion, Matt Castriotta, that the Town vote to raise and appropriate a sum of money to operate the Ambulance Enterprise as follows:

Appropriate for the Ambulance Enterprise:

Salaries \$166,345
Expenses \$ 70,130
Total \$236,475

To be raised as follows:

Department Receipts \$155,000
Retained Earnings \$ 81,475
Total \$236,475

Second: Daniel Galante

Vote: Motion Carries, Majority Affirmative Vote

The Moderator asked the Meeting that if there were no objections he would like to advance Article 24 to be taken up at this time as members of the school department were expected at another meeting. No objection was voiced and Article 24 was taken up for discussion and vote.

ARTICLE 24. Motion, Matt Castriotta, that the Town vote, consistent with Section IX of the existing "Quabbin Regional School District Agreement," to accept the amendments to said Agreement which have been initiated and approved by the Quabbin Regional School Committee and which have been submitted as a restated Agreement to the Board of Selectmen of each member town prior to the vote on this article.

Second: Daniel Galante

Discussion: A presentation was given by William Hansen, Quabbin Regional School District Committee member from Hubbardston highlighting the changes proposed by the new agreement. Two voters spoke against voting on Article 24 tonight however no motion was made.

Vote: Motion Carries, Majority Affirmative Vote (10 opposed)

ARTICLE 9. Motion, Matt Castriotta, that the Town vote to transfer from Free Cash the sum of \$15,000 (Fifteen Thousand Five Hundred Dollars and Zero Cents) to fund the Senior Citizen Work-off Tax Abatement Program Account # 001-141-5120-0000 for Fiscal Year 2015.

Second: Jeffrey Williams

Vote: Motion Carries, Majority Affirmative Vote

ARTICLE 10. Motion, Matt Castriotta, that the Town vote to change the personal property tax exemption from \$5000, as was voted at the 2001 annual town meeting, to be \$10,000, pursuant to MGL Chapter 59, Section 5 (54).

Second: Jeffrey Williams

Vote: Motion Carries, Unanimous in Favor

ARTICLE 11. Motion, Matt Castriotta, that the Town vote to transfer \$1,541.50 from the Waterways Improvement Fund Account #227-295-5380-000 to the FY15 DPW Road Maintenance Account #001-422-5240-0000.

Second: Jeffrey Williams

Vote: Motion Carries, Unanimous in Favor

ARTICLE 12. Motion, Matt Castriotta, that the Town vote to transfer from Free Cash the sum of \$5,000 (Five Thousand Dollar and Zero Cents) to fund the wages and/or expenses associated with a trial program of additional building code, zoning and bylaw enforcement for the Building Commissioner.

Second: Jeffrey Williams

Vote: Motion Carries, Majority Affirmative Vote

ARTICLE 13. Motion, Matt Castriotta, that the Town vote to transfer from Free Cash the sum of \$7,000 (Seven Thousand Dollar and Zero Cents) to Account # 001-145-5380-0000 to fund the purchase of new financial software modules for the Treasurer's office.

Second: Jeffrey Williams

Vote: Motion Carries, Majority Affirmative Vote

ARTICLE 14. Motion, Matt Castriotta, that the Town vote to transfer from Free Cash the sum of \$3,000 (Three Thousand Dollar and Zero Cents) to the Fire Pond Reconstruction Account # 001-220-5700-0001 to fund the necessary maintenance to the Town fire ponds.

Second: Jeffrey Williams

Vote: Motion Carries, Unanimous in Favor

ARTICLE 15. Motion, Matt Castriotta, that the Town vote to transfer from Free Cash \$15,000.00 (Fifteen Thousand Dollars and Zero Cents) to the General Stabilization Account # 250-000-5961-0000.

2/3 Vote Required

Second: Jeffrey Williams

Vote: Motion Carries, Unanimous in Favor

ARTICLE 16. Motion, Matt Castriotta, that the Town transfer the sum of \$15,000.00 (Fifteen Thousand Dollars and Zero Cents), that sum being the remaining balance from the 2013 Road Paving Project Account # 301-000-5840-0002, to the General Stabilization Account # 250-000-5961-0000.

2/3 Vote Required

Second: Jeffrey Williams

Vote: Motion Carries, Unanimous in Favor

ARTICLE 17. Motion, Matt Castriotta, that the Town vote to transfer from Free Cash \$170,000.00 (One Hundred Seventy Thousand Dollars and Zero Cents) to the Municipal Capital Stabilization Account # 251-000-5961-0000.

2/3 Vote Required

Second: Jeffrey Williams

Vote: Motion Carries, Unanimous in Favor

ARTICLE 18. Motion, Matt Castriotta, that the Town vote to raise and appropriate the sum of \$40,000 (Forty Thousand Dollars and Zero Cents) to the Municipal Capital Stabilization Account # 251-000-5961-0000.

2/3 Vote Required

Second: Jeffrey Williams

Vote: Motion Carries, Unanimous in Favor

ARTICLE 19. Motion, Matt Castriotta, that the Town vote to transfer from the following accounts those sums as noted below, with those sums being the remaining balances from prior capital projects approved on the dates noted, to the Municipal Capital Stabilization Account # 251-000-5961-0000, as follows:

2/3 Vote Required

Transferring Remaining Account Balances Back Into The MCSA Acct # 251-000-5961-0000					
	Authorized Project	Date of Vote	Article #	\$ Amt to Transfer Back	Current Account #
A	FY14 Cost of Police Dept Cruiser #2 lease/purchase	5/4/2013	17	\$ 271.90	001-210-5870-2013
B	Parks Tennis/Basketball Courts at Curtis Field	5/4/2013	17	\$ 60,000.00	001-650-5840-0000
C	DPW Medium Duty F450 w Plow	5/4/2013	17	\$ 2,285.90	001-422-5850-2014
D	Code Red for Police Dept.	5/4/2013	17	\$ 445.91	001-210-5340-0000
E	Slade Building Carpeting	5/4/2013	17	\$ 4.09	001-122-5240-2014

Second: Jeffrey Williams

Vote: Motion Carries, Unanimous in Favor

ARTICLE 20. Motion, Matt Castriotta, that the Town vote to transfer from the Municipal Capital Stabilization Account # 251-000-5961-0000, the following sums to pay for the following capital expenses:

FY15 CAPITAL PROJECTS			
	Existing Obligations	\$ AMT	Comment
A	To fund Year 1 of the costs of funds borrowed for the Rt. 68 engineering and design work.	\$ 6,000	Borrowing
B	To fund year 3 (of 3) of the Police Dept. cruiser lease/purchase.	\$ 11,000	Lease/Purchase
C	To fund the year 6 (of 10) principal and interest costs of funds borrowed for the Fire Dept. Engine purchase.	\$ 55,336	Borrowing
D	To fund the year 2 (of 14) principal and interest costs of funds borrowed for the Quabbin Regional School District Green Repair Project.	\$ 44,900	Borrowing
E	To fund the year 1 principal and interest costs of funds borrowed for the 2013 Road Paving Project.	\$ 25,000	Borrowing
F	To fund the year 2 (of 2) of the DPW Truck with plow lease/purchase.	\$ 36,000	Lease/Purchase
G	To fund the year 2 (of 3) of the Fire Dept. SCBA tanks lease/purchase.	\$ 47,000	Lease/Purchase
	Total	\$ 225,236	
	FY15 New Obligations	\$ AMT	Comment
H	To fund the first year cost of purchase of a replacement 6 wheel dump truck with plow and sander for DPW, including all costs incidental and related thereto, and to authorize disposal of, by sale or otherwise, any related excess equipment.	\$ 10,000	Borrowing
I	To fund the purchase of a used 4WD backhoe for DPW, including all costs incidental and related thereto, and to authorize disposal of, by sale or otherwise, any related excess equipment.	\$ 40,000	Cash Purchase
J	To fund the first year cost of purchase of a SUV cruiser for the Police Dept., including all costs incidental and related thereto, and to authorize disposal of, by sale or otherwise, any related excess equipment.	\$ 1,000	Borrowing
K	To fund the Police Dept. asbestos floor tile abatement - Phase 1, including all costs incidental and related thereto.	\$ 7,000	Cash Purchase
L	To fund the Slade Building mold abatement - Phase 1, including all costs incidental and related thereto.	\$ 10,500	Cash Purchase

M	To fund the Slade Building basement and attic insulation project - including all costs incidental and related thereto.	\$ 30,000	Cash Purchase
N	To fund the Library asbestos floor tile abatement - including all costs incidental and related thereto.	\$ 17,500	Cash Purchase
O	To fund the various costs of borrowing and bond rating for FY15 - including all costs incidental and related thereto.	\$ 12,000	Cash Purchase
	Total	\$ 128,000	

2/3 Vote Required

Second: Jeffrey Williams

Vote: Motion Carries; Yes-92, No-2, Abstain-0

ARTICLE 21. Motion, Matt Castriotta, that the Town vote to appropriate \$387.78 (Three Hundred Eighty Seven and 78/100 Dollars) from the Community Preservation Budgeted Reserve Account # 246-000-3240-0000 to cover the interest for year one (of three) for the borrowing associated with the Hubbardston Center School Playground Committee Project, Account # 246-710-5910-0000, approved at the Special Town Meeting of April 23, 2013.

Second: Jeffrey Williams

Vote: Motion Carries, Unanimous in Favor

ARTICLE 22. Motion, Matt Castriotta, that the Town vote to appropriate \$1,500.00 (One Thousand Five Hundred Dollars) from the Community Preservation Budgeted Reserve Account # 246-000-3240-0000 to cover year one (of three) costs of the borrowing associated with the Hubbardston Parks Committee Project, Account # 246-710-5910-0001, approved at the Annual Town Meeting of June 4, 2013.

Second: Jeffrey Williams

Vote: Motion Carries, Unanimous in Favor

ARTICLE 23. Motion, Matt Castriotta, that the Town vote to appropriate or reserve from the Community Preservation annual revenues in the amounts recommended by the Committee Preservation Committee for committee administrative expenses, community preservation projects and other expenses in Fiscal Year 2015, with each item to be considered a separate appropriation:

Appropriations:

From FY 2015 estimated revenues for Committee Administrative Expenses (5%) \$2942.77

Reserves:

From FY 2015 estimated revenues for Historic Resources Reserve (10%)	\$5,885.55
From FY 2015 estimated revenues for Community Housing Reserve (10%)	\$5,885.55
From FY 2015 estimated revenues for Open Space Reserve (10%)	\$5,885.55
From FY 2015 estimated revenues for Budgeted Reserve (65%)	\$38,256.08

Second: Jeffrey Williams

Vote: Motion Carries, Majority Affirmative Vote

Note: Article 24 was advanced and previously voted after Article 8.

ARTICLE 25. Motion, Matt Castriotta, that the Town vote to transfer from Free Cash, the sum of \$33,000.00 (Thirty Three Thousand Dollars and zero cents) to replace the fire alarm panel and smoke detectors in the Hubbardston Center School.

Second: Jeffrey Williams

Vote: Motion Carries, Unanimous in Favor

ARTICLE 26. Motion, Matt Castriotta, that the Town vote to authorize the Board of Selectmen to acquire by gift a parcel of land of approximately 11,236 SF located on Seminole Avenue and further identified as Assessors Map 12W, Lot 276, for the purpose of establishing and maintaining road drainage system components located on that parcel.

Second: Jeffrey Williams

Vote: Motion Carries; Yes-91, No-1, Abstain-0

ARTICLE 27. Motion, Matt Castriotta, that the Town vote to authorize the Board of Selectmen, Board of Assessors and Town Administrator to negotiate and enter into an agreement for Payment-In-Lieu-Of-Taxes

(PILOT) pursuant to the provisions of G.L. c.59, §38H(b), and any other enabling legislation, between the Town and Solar MA Project Management LLC, Series XXIX, a subsidiary of Seaboard Solar Holdings, LLC (developer), or its successors, for the solar facility to be installed, owned and operated by Hubbardston Solar LLC (developer), or its successors, on land located on 91 Williamsville Road and further identified as Assessors Map 4 Lot 32, upon such terms and conditions as the Board of Selectmen, Board of Assessors and Town Administrator deem to be in the best interests of the Town.

Second: Jeffrey Williams

Discussion: Vincent Ritchie, Chairman of the Planning Board proposed a friendly amendment inserting the following [in italics] at the end of Article 27 *that the Board of Selectmen enter into the above agreement subject to a report from the Planning Board indicating that Seaboard Solar has satisfactorily met the conditions of their Special Permit and Site Plan and complied with all requests of the Planning Board.* The amendment was accepted by the maker and second of the motion on the original article.

Vote on Article 27 as Amended: Motion Carries, Majority Affirmative Vote

ARTICLE 28. Motion, Matt Castriotta, that the Town vote, pursuant to Massachusetts General Laws Chapter 268A, to authorize the Board of Health to appoint a member of the Board of Health to the position of Kitchen Inspector.

Second: Jeffrey Williams

Vote: Motion FAILS, Majority Negative Vote

ARTICLE 29. Motion, Matt Castriotta, that the Town vote to adopt Massachusetts General Laws Chapter 40, Section 22F, to authorize Town boards and officers to set reasonable fees for licenses, permits or certificates issued pursuant to statutes or regulations, and to fix reasonable fees for services rendered or work performed by the Town.

Second: Jeffrey Williams

Vote: Motion Carries, Majority Affirmative Vote

ARTICLE 30. (Submitted by Citizen Petition) **Motion, Ernest Newcomb**, that the Town shall remove care of the cemeteries from the DPW and return total oversight and care to the elected cemetery commissioners. The Town to take any necessary steps to amend or change the new charter to facilitate that change. The cost to taxpayers for full-time DPW workers far exceeds the minimal economic cost of the former method utilized by the Cemetery Commission. The Cemetery Commission uses flex hours that can cover 7 days a week and thereby avoid working in adverse conditions. It will also avoid conflicts of interest for funding and worker assignment for the DPW.

Second: Vincent Ritchie

Motion: Jamie Pitney to take no action on this article. **Second: William Hansen**

Vote on Motion to Take No Action on Article 30: Motion Carries, Majority Affirmative Vote

ARTICLE 31. (Submitted by Citizen Petition) **Motion, Ernest Newcomb**, The Town has maintained the clearance of the Mt Jefferson fire pond dam at the direction of the Town, that is overflow in the past, since the logging of the open space land water flow into the dam increased. Beaver dam build up at the overflow. The Town has been removing for years. Adverse litigation should stop or threat thereof and a mutual agreement between affected parties arrived at. The pipe under the road is too small for current flood stage rain events. The Town placed boards into overflow to halt overflow damaged and failed to remove boards and lower pond level. The Town is liable. This 2014 overflow is not the first. A beaver deceiver needs to be put in place and a larger pipe put in to handle the spring runoff capacity. This is a directive by the citizens to do that.

Second: Kraig Kiajala

Vote: Motion FAILS; Majority Negative Vote

Seeing no further business, the Moderator adjourned the meeting at 9:15pm.

Respectfully Submitted,

Joyce E. Green, Town Clerk

(Town Seal)